

Notice of Allowability

Application No.

10/535,101

Examiner

TUAN A. PHAM

Applicant(s)

SAKAMOTO ET AL.

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 12/20/2006.
2. ☒ The allowed claim(s) is/are 14-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Specification

1. Amendment to the specification submitted on 12/20/2006 has been considered by Examiner and made of record in the application file.

REASONS FOR ALLOWANCE

2. Claims 14-28 are allowed over the prior art of record.
3. The following is an examiner's statement of reasons for allowance:

The applicant's Remarks, filed on 12/20/2006, have been carefully reviewed with update search. Consequently, reasons for allowance of claims 14-28 are set forth in the following:

Regarding claims 14 and 25, the prior art made of record fails to clearly teach or fairly suggest the feature of a mobile communication device and a method capable of data communication through an ad hoc network, the mobile communication device comprises a storage device for storing information indicating whether or not to accept the participation in the ad hoc network based on a user's input; a condition determination section for, after the reception section receives the inquiry information, determining whether or not at least one preset condition is satisfied based on a state of the mobile communication device; and when the condition determination section determines that the information stored in the storage device indicates that the participation in the ad hoc network is not to be accepted, the transmission section is

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operable to generate the information for denying the participation in the ad hoc network, in combination with other limitations, as specified in the independent claims 14 and 25, and further limitations of their respective dependent claims 15-17.

Regarding claims 18 and 26, the prior art made of record fails to clearly teach or fairly suggest the feature of a mobile communication device and a method capable of data communication through an ad hoc network, the mobile communication device comprises a state detection section for detecting whether or not the mobile communication device is in communication; and when the condition determination section determines that the state detection section has detected that the mobile communication device is in communication, the transmission section is operable to generate the information for denying the participation in the ad hoc network, in combination with other limitations, as specified in the independent claims 18 and 26, and further limitations of their respective dependent claim 19.

Regarding claims 20 and 27, the prior art made of record fails to clearly teach or fairly suggest the feature of a mobile communication device and a method capable of data communication through an ad hoc network, the mobile communication device comprises a residual power detection section for detecting a residual power of a battery in the mobile communication device; and when the condition determination section determines that the residual power detected by the residual power detection section is less than or equal to a predetermined reference value, the transmission section is

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operable to generate the information for denying the participation in the ad hoc network, in combination with other limitations, as specified in the independent claims 20 and 27, and further limitations of their respective dependent claims 21-22.

Regarding claims 23 and 28, the prior art made of record fails to clearly teach or fairly suggest the feature of a mobile communication device and a method capable of data communication through an ad hoc network, the mobile communication device comprises a storage device for storing an age of a user of the mobile communication device; and when the age of the user, which is stored in the storage section, is equal to or more than a predetermined reference value, the transmission section is operable to generate information for accepting the participation in the ad hoc network regardless of another condition, in combination with other limitations, as specified in the independent claims 23 and 28, and further limitations of their respective dependent claim 24.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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March 5, 2007
Examiner

Tuan Pham

Supervisory Patent Examiner
Technology Center 2600

Matthew Anderson